THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.19699 OF 2005

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Dt: 06.09.2005

Between:

R. Suribabu

.. Petitioner

AND

The Deputy Executive Engineer,

Panchayat Raj Sub-Division-II,

Narasaraopet, Guntur District.

& another.

.. Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.18408 OF 2005

ORDER:

The petitioner claims to be a NMR employed with the respondents. He filed I.D.No.298 of 1994 in the Labour Court, Guntur. The Labour Court passed an award, dated 10.11.2000, directing the reinstatement of the petitioner. Respondents filed WP.No.12852 of 2001 before this Court challenging the award. The writ petition was dismissed on 15.03.2005. The WA.No.1293 of 2005, filed by the respondents, is

pending before this Court. The petitioner has since been reinstated into service as NMR.

The grievance of the petitioner is that he is not being paid salary or emoluments even after reinstatement and he seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj.

This Court does not find any basis to entertain this writ petition. The reason is that if the petitioner is not being paid salary after reinstatement, pursuant to the award in I.D.No.298 of 1994, he has to file an application under Section 33-C(2) of Industrial Disputes Act before the Labour Court. On the other hand, if the petitioner feels that non-payment of salary to him is contrary to the orders, dated 19.08.1995, passed by the Division Bench in WAMP.No.2361 of 2005 in WA.No.1293 of 2005, he can file appropriate application in the writ appeal. Either way, the writ petition is not maintainable.

The writ petition is accordingly dismissed, leaving it open to the petitioner to work out his remedy in accordance with law. No order as to costs.

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06.09.2005

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